RICHMOND, VA., December 20, 1879. OFFICERS AND MEMBERS OF CON-OFFICERS AND MEMBERS OF CONtinental Lodge, No. 394, K. of H., will
stend a regular meeting of this Lodge THIS EVENING at 7:30 o'clock. Election of officers and payment of dues and assessments. Members of sister
lodges fraternally invited to attend.
By order of Dictator.

W. A. LAMKIN.
Benoeier

AMUSEMENTS.

RICHMOND THEATRE-TO-DAY. Farewell appearances of
MISS AGNES HEENDON.
MATINEE 2 P. M.
FATE; OR, A TRUE WOMAN.
the EVENING at 8, the retgning English success.
LADY CHALONER; OR, MAUD'S PERIL.
tet 1. The Withered Forget-Me-Nots.

Act 1. The Withered Forget-Me-Nots.
Act 2. Mand's Perit,
Act 3. THE SLEEP-WALKING SCENE. Sir
Raiph Chaloner's Revenge.
Act 4. The Verdict. LADY CHALONER'S VIC-Box-sket at Johnston's and office of Theatre.

GRAND BALL BY MODOC TRIBE, secured the splendid mansion of George Cundigiam, Esq. at Mechanicaville, wile give a GALL for the benefit of their building fund on FRIDAY the 26th day of December 1879. A special suit of rooms and servants have been provided for ladies, and every attention will be paid to their comfort. The usual parlor games, as well as dancing, will be participated in. The committee assure all who favor them with their presence that the strictest order will be enforced. A supertions super has been provided. A splendid string band will be in attendance. Dancing from 8 o'clock P. M. to 5 A. M. Tickets admitting a genericman and lady, guilding supper, \$1: gentlemen, 50c. Tickets to be detained of the committee of arrangements and floor managers. O. Brockwell, J. L. Edwards, W. E. Altigson, floor managers. K. L. Acree, Edwin Little, T. B. Dunn, committee of arrangements.

DR. MCLANE'S LIVER PILLS.

45 YEARS BEFORE THE PUBLIC. THE GENUINE

DR. C. MCLANE'S

CILEBRATED

LIVER PILLS,

FOR THE CURE OF

HEPATITI OR LIVER COMPLAINT, DYS-

PEPSIA, AND SICK HEADACHE.

SYMPTOMS OF A DISEASED LIVER.

Pain in the right side, under the edge of the ribs, en side; the patient is rarely able to lie on the left note for \$100 (which had been placed in his side; sometimes the pain is feit under the shoulderblade, and it frequently extends to the top of the shoulder, and is sometimes mistaken for rheuma- ing Mr. Mays's friends railied again in tism in the arm. The stomach is affected with loss force. of appetite and sickness; the bowels in general are costive, sometimes alternative with lax; the head is troubled with pain, accompanied with a dull, heavy sensation in the back part. There is generally a considerable loss of memory, accompanied with a Lewis Linkenhoker, Esq. : painful sensation of having left undone something which ought to have been done. A sugnt, dry cough of weariness and debility; he is easily startled, his beneficial to him, yet he can scarcely summon up remedy. Several of the above symptoms attend the

AGUE AND FEVER.

DR. C. MCLANE'S LIVER PILLS, in cases of AGUE AND FEVER, when taken with quinine, are productive of the most happy results. No better cathartic can be used preparatory to or after taking quinine. We would advise all who are afflicted with

For all bilions derangements, and as a simple pur gative, they are unequalled.

BEWARE OF MITATIONS.

mpression Dr. McLane's LIVER PILLS.

signatures of C. McLANE and FLEMING BROS. on

of the name MoLaNE, spelled differently but same

THE OVAL CAKE

is the most economical form of Washing Soap. Al plete, too thin to handle, and therefore wasted; while the OYAL CAKE of

COLGATE & CO.'S

"NEW" SOAP can be cut in two, the eval-exc dasped readily in the hand, and the larger end worn down almost to a wafer without any waste. COLGATE & CO. recommend their

"NEW" SOAP

(trade-mark registered) to careful housekeepers, not only as superior in quality, but as in form the Most economical Soap now made. [oc 8-WAStFe18]

LIEBIG'S EXTRACT OF MEAT.

LEBIG COMPANY'S EXTRACT OF MEAT. FINEST AND CHEAPEST MEAT-PLANORING STOCK FOR SOUPS, MADE-

MEHES, AND SAUCES. LIEB.'S COMPANY'S EXTRACT OF MEAT "IS | fused. am wees and a boon for which nations should feel g. "ateful." - See " Medical Press," " Lancet,"

"Britis & Medical Journal," &c. CAUT ION .- Genuine only with the fac simile

of Baron Liebig's signature in blue ink across "Consumption in England increased tenfold

DAITY DISPATCH.

VOL. LVI.

Richmond Dispatch. ATURDAY DECEMBER 20, 1879.

THE CIRCULATION OF THE DISPATCH IS LARGER THAN THE COMBINED CIRCU-LATION OF ALL THE OTHER DAILY NEWS-PAPERS OF THE CITY.

[Extered at the Post-Office at Richmond, Va., os second-class matter.]

WEATHER REPORT.

INDICATIONS FOR TO-DAY .- For the Middle States, rising followed by falling barometer, stationary temperature, northeast winds, partly cloudy weather, and numerous areas of rain and snow.

For the South Atlantic States, falling followed by rising barometer, warmer south- my views in relation to it. east winds, except cooler northeast on the North Carolina coast, partly cloudy weather, and light coast-rains.

THE WEATHER YESTERDAY Was partly cloudy and cool. At night there was a light rain; after which it cleared off. THERMOMETER YESTERDAY: 6 A. M., 42; 9 A. M., 44; noon, 53; 3 P. M., 55; 6 P. M., 52; midnight, 44. Mean temperature, 481.

LOCAL MATTERS.

The Ranks Reformed.

CAUCUS OF READJUSTERS YESTERDAY MORN ING-THE CASE OF MR. MAYS BEFORE IT-LETTERS AND STATEMENTS-MR. BAILEY, UPON RECONSIDERATION, DETERMINES TO VOTE FOR MAYS-THE CHRISTMAS RECESS

Through the efforts of Messrs. Frazier, Lady, and Linkenhoker, the Readjuster caucus was called together yesterday morning in extra session to further consider the case of Mr. Mays.

Mr. Mays had been nominated by them for judge of Botetourt county. Mr. Echols stated on the floor of the House that there was a serious charge against him. He called upon Mr. Bailey, of Washington county, as his witness. That gentleman said, substantially, that for good reasons he did not vote for Mr. Mays in the Readjuster caucus, and would not support him in the House. Thereupon the election of judge for Botetourt county was postponed to yesterday. Thursday night the Readjusters' caucus examined Mr. Bailey, and concluded to have the election of judge for Botetourt deferred until after Christmas. They apprehended that written charges would be preferred, and wished to get ready to refute them. The allegation was ncreases on pressure; sometimes the pain is in the not that Mr. Mays had altered a promissory hands for collection) into a sealed instrument, thereby saving it from exclusion by the statute of limitations. Yesterday morn-

> THE RE-EXAMINATION. At the caucus the following letter was

> read: RICHMOND, VA., December 19, 1879.

Dear Sir,-I have your note of this morning. In reply thereto I recall to your recolwhich ought to have been done. A sight, dry cought is sometimes an attendant. The patient complains on vesterday—that I knew nothing of Mr. Mays myself, and that acting by request to leave the est are cold or burning, and he complains of a for those people of Botelourt who had peprickly sensation of the skin; his spirits are low; titloned for the recelection of Judge Simand although he is satisfied that exercise would be mons, I deemed it my duty to say that, from perty of Ann McDonough, he knowing the what I had recently heard, in my opinion fortitude enough to try it. In fact, he distrusts every judge, and at the same time indicated that Mr. Mays was not a fit person to be elected the source of my Information was accessi- was committed to jail for thirty days in dedisease, but cases have occurred where a few of ble to all the members. Mr. Bailey, from fault of surety. hem existed, yet examination of the body after Washington county, a leading member of death has shown the LIVER to have been extensive- your party, then addressed the House, and drunk. Discharged. announced that he had given me the information to which I referred, in answer to charged with being suspicious characters, he had stated to me privately, that, upon fault of \$50 surety. that information, he would not vote for Mr. Mays, although he was nominated by your caucus. I am respectfully, &c.,

JOHN ECHOLS. The following letter was also read: RICHMOND, VA. December 19, 1879.

R. F. Mays, Esq.: Dear Sir,-I am not in this city to prefer charges against you, as I have none to prefer. Our professional association has always been of a pleasant kind, and I hope it may

so continue. Yours truly,
WALTER N. JOHNSTON.

PERSONAL EXPLANATION. Mr. Bailey made a statement-which was substantially refrerated in a personal explanation made to the House an hour laterand thereupon the caucus resolved that Mr. Mays had been fully vindicated, and they determined to elect him without further

When the House met, Mr. Bailey got the floor and said : "In rising to a question of privilege I in regard to the nomination for county The genuine McLANE'S LIVER PILLS bear the judge of Botelourt has been misconstrued, and is likely to do great injustice to Mr. Mays, which was far from my purpose. I, sir, was actuated by the highest motives of Insist upon having the genuine Dr. C. McLank's | public policy. I have ever held that this new party, just stepping into power (of which I am an humble member), owes it to Pittsburgh, Pa., the market being full of imitations litself to give good government to all the people; and I, for one, am not willing to place any man in office who can't answer,

in their every sense, the two great ques-

tions propounded by Mr. Jefferson : 'Is he

capable? Is he bonest?". . I hope it will be remembered that what I said on this floor on yesterday was elicited by the gentleman from Augusta, and that those remarks were based on facts which were to govern my individual action alone, bar or square cakes wear down in use to a large flat and were not of so grave a character as to demand investigation. I am prepared now to say, from an investigation as to the intimations affecting the character of Mr. Mays which was made for the satisfaction of my self and my party (not so much to satisfy gentlemen on the other side, for we do no expect to be able to satisfy them), and I am willing now to east my vote for Mr. Mays should his name come before this body."

Mr. Mays was subsequently elected. Mr. Bailey voted for him.

PERSONAL.

Johnson Collins, colored member of the House from Brunswick, former slave of Mr. F. E. Buford, ran against and defeated his master for the Legislature, but showed his good-will by naminating him in the Readjusters' caucus for the judgeship of Brunswick, to which he was yesterday elected. Mr. Collins made a culogistic speech of his old master yesterday, and said, "I used to belong to him, and I know him well."

Mr. T. N. Welch, the Readjuster candidate for judge of Caroline county, was supported by both parties. The Conservatives asked their first favor of the Readjusters yesterday. It was to

postpone the election of judge for Chesterfield county until 9th January. It was re-PREIGHT DISCRIMINATIONS.

The following was laid before the House vesterday: COMMONWEALTH OF VIRGINIA,)

RAILROAD COMMISSIONER'S OFFICE. RICHMOND, December -, 1879.

stant, addressed to me by your honorable above the average, and his literature is a conveyances was left intact, to bear with the stand exemption?"

It is a stant, addressed to me by your honorable lady of decided genius. Fate; or, a True lad

RICHMOND, VA., SATURDAY MORNING, DECEMBER 20, 1879.

1878, and also to my forthcoming report, due the first Wednesday in January next.

Unjust discrimination between through

freights and local freights has in every

country caused dissatisfaction and com-

solved to the satisfaction of the public.

THE JCDGES ELECTED.

elected [present incumbents in italics]:

Alleghany and Craig-Paris V. Jones.

Accomac-Thomas C. Parramore.

Amberst-William Dillard, Jr.

Bland and Giles-Robert Wylie. Brunswick-F. E. Buford.

Buckingham-Alexander S. Hail.

Chestesterfield-J. M. Gregory.

SUPREME COURT OF APPEALS FRIDAY .-

Fitzhugh for appellees, and submitted.

Commonwealth and Bacciagalupo against

the Commonwealth, Colonel John B. Young

appeared and argued the causes in behalf of

The court adjourned until the 6th of

POLICE COURT.—At the Police Court vesterday—Justice White presiding—the fol-

Richard Banks (colored), for unlawfully

Peter Cunningham and Ambrew McCabe.

stealing one pair of skids from W. Y.

same to have been stolen. Discharged.

owing cases were disposed of:

THOMAS H. CARTER,

Railroad Commissioner.

other States and countries.

your obedient servant,

Amelia-F. R. Farror.

Augusta-J. M. Quarles.

Botetourt-R. F. Mays.

Caroline-T. N. Welch.

Charlotte-A. L. Van Ness.

Culpeper-John W. Bell.

Carroll-Isaac Webb.

ends January 6th.

fused by all the judges.

to the Court for decision.

Shepherd, Discharged.

Albert Johnson

last week.

present at the fire.

of the Board.

been living in this city for some time.

COUNTY SUPERVISORS .- The Board of

County Supervisors of Henrico county will

meet at the county court-bouse to-day. The

question of employing convicts to work on

the county roads another year will be dis-

cussed. Mr. W. Y. Mordecai is president

Edwin Little, and T. B. Dunn.

SALE OF HISTORIC JAMESTOWN ISLAND.

Mr. James L. Apperson, trustee, yesterday sold in front of the custom-house, at pub-

lic auction, the historic property James-

town Island, containing about fourteen

hundred acres of land, upon which is an

excellent dwelling, a paper-mill, and other

improvements, besides valuable orchards,

in which are many fine fruit-trees. The

property was bought by Captain John A.

of New York city, for the sum of \$9,000.

Coke for Mrs. Melania de B. Clay Brown,

THE THEATRE. - Miss Herndon had a very

of Emma Ford. Dismissed.

BRIEF ITEMS-PERSONAL .- The lot on the

corner of Main and Sixth streets has been

same submitted.

January, 1880.

A New Decision Under the Virginia Homestead Law.

plaint, and no remedy entirely satisfactory has thus far been found. While it is true that in this State individual cases of unjust discrimination do occur, which when reported to this office are corrected as far as the charters of the railroad companies will permit, yet, so far as I am informed, there is not now more general dissatisfaction in our State on this score than prevails in

The importance of this question has drawn to its consideration many of the most practical and vigorous intellects of this and other countries, and it is not yet anywhere As it would not be possible in a communication of this kind to cover a subject so complex and so comprehensive, I beg to refer to my reports past and forthcoming for the order of the Court.

I have the honor to be, very respectfully, ceive the proceeds by virtue of a claim for exemption under the homestead act, which was made in writing under seal, and duly recorded prior to the levy of any of the attachments. This writing specified the arti-The following are the judges so far cles included in the store of defendant which were afterwards the subject of levy. and in the order of sale the rights of the parties as they existed in and to the goods were expressly reserved to them as to the

proceeds of the sale. The goods were valued by the defendant Appomattox—Henry T. Parrish. Bath and Highland—James W. Warwick. in his written claim at the sum of \$1,623. This appears to have been an under-valua-The defendant continued in possession of them for about one week after the claim was recorded, during which time he was engaged in selling them, day by day; and the residue, which were levied upon, appear to have sold at the sheriff's sale for the sum of about \$2,150. The defendant appears to have sold one or two bills of goods to one party during the week amount-Cumberland and Powbatan-W. A. Pering to about \$150, and the average sales at the counter, in the opinion of one of his without the joint deed of himself and wife, Three or four judges nominated by the clerks, were about \$25 per day. I think Readjusters are to be elected-or defeatedthat \$300 would be a low estimate of the after the recess, which, according to the revalue of goods embraced in the claim which were sold before the levy. The claim, solution adopted, begins after to-day and therefore, appears to have been some \$400

of error to a judgement rendered by the County Court of Carroll county on the 4th creditors, in any aspect of this case, are enof August, 1879, in a prosecution by the It is objected in behalf of the defendant Commonwealth against the petitioner. Rethat the plaintiffs are restricted by section Wyeth vs. Kennedy and als. Argued in 14 of chapter 183 of the Code, page 1,173, print by Judge Robert Ould for the appelto a single remedy in a case of under-valulant and St. G. Fitzbugh for appellee, and ation, and that the excess cannot be here inquired into. I do not think so. The Wyeth vs. Mahoney and als. Argued by section referred to merely provides one remedy adapted to ordinary cases, in which Judge Robert Ould for appellant and St. G. resort is only contemplated as a matter of

> Court. money which was paid out of the proceeds and non-exempt goods upon the same meeting, but there was no querum present. for rent should not be deducted from the \$2,-000 to which the defendant is entitled. I am of opinion that this claim is untenable. The Constitution limits the claim of exemption to \$2,000 of property, and subjects that to liability for rent. I see no reason upon which the claim can be supported for

John Jenkins (colored), for unlawfully extent is in question. I do not feel that it is necessary to conhaving in his possession two hens, the prosider all the points presented in the able

The claim is very vigorously contested

(colored), for being Watson Morris and Frank Williams, questions from me, and further declared, as were committed to jail for five days in de- the attachments, as well as upon this mo-Robert Saunders (colored), for assaulting which this claim was and is asserted. If I and beating and trespassing on the premises

> shaw's, 266,045 pounds; at Centre, 83,000 pass, 28 Grat., 733, &c. pounds-total, 613,045 pounds. The prices ranged from \$1 to \$7 per hundred, according to quality. The tobacco brought here to entertain an inquiry into the intent with this week was inferior in quality to that of which it was made unless such intent be

apparent upon its face. But I cannot accept, upon the other hand, the view of counsel for the claimant that the

recently purchased, subject to the confirma-"Homestead and other Exemptions," tion of the Chancery Court, by the Masonic the statutes made in pursuance thereof, do Temple Association of Virginia. The Association now owns St. Albans Hall and modify to a very great extent the tradithe lot at the corner of Main and Ninth tional policy of the law, but no court, howstreets. We hope soon to hear that the Fraever much it might be in sympathy with desire to state that my course on yesterday ternity will be prepared to erect a temple the modification, can be justified in setting creditable to themselves and an ornament to aside or disregarding the law as it was aforetime, except so far as it has been repealed or amended. THE FIRE THURSDAY NIGHT .- The light

from the fire at the granite sheds opposite when the Constitution was framed, is found Rocketts Thursday night was seen from in the 118th chapter of the Code of Virpoints in Chesterfield more than ten miles ginia, edition of 1860. A portion of this distant. The exact loss has not yet been chapter embodies the principle of the reascertained. Mr. Moles, the pattern-maker cording acts, which are American in origin, at the works, lost all of his tools, valued at but date from an early colonial period.

\$300. There were hardly a dozen persons fraudulent conveyances, is substantially the the constitutionality of this limitation upon The 1st section, however, in regard to law as it was imported by the first settlers the busband's power of alienation, and of the colony. The statute of 1785, which Judge Christian seems to have concurred; FOUND DEAD .- Yesterday about 12 o'clock Mr. J. R. Napier, of 308 west Leigh street, it reenacts, was but a continuation of the was found dead on the payement on Cary statutes of Elizabeth, and those acts of parbetween Eleventh and Twelfth streets. liament had been judicially declared to be Coroner Taylor viewed the body, and debut declaratory of the principles of the comcided that death was caused from apoplexy. mon law-Ch. J. Marshall in Hamilton vs. Deceased was a carpenter by trade, and had Russell, 1 Cranch 316, and Roane, J., in

There were also when the Constitution was framed existing statutes defining the liens of landlords and judgment and execution creditors, and in the interest of debtors statutes of relief, staying the collection | the statute, to the benefit of the homestead, of debts and exempting from seizure and sale homesteads of families and personal right it would have been unconstitutional. property of householders and heads of I thought that the 11th article of the Consti-

RED MEN'S BALL THE NIGHT AFTER and all these statutes, the 11th article of the to then existing statutes upon the same sub-CHRISTMAS .- Elsewhere in to-day's Dis-Constitution was ordained. It refers speci- jects, was clearly designed to be exclusive patch will be found notice of a grand ball fically to all of these statutes except the of any power in the General Assembly to they will reopen their store on to be given by Modoc Tribe, No. 51, I. O. 118th Ch., Code Virginia, embracing the legislate upon the subject except in con-R. M., at Mechanicsville on Friday the 26th statute of fraudulent conveyances and the formity to the prescriptions of the Constiinstant, the proceeds to be devoted to the recording acts in relation thereto, and sig- tution, and that the general powers of legisbuilding-fund of the Tribe. A special suit nificantly points to that chapter in imposing lation by the General Assembly as the deupon the General Assembly at its first ses- positary of the undelegated sovereignty of other articles for the holiday trade, all to be sold at of rooms and servants will be provided for ladies, who will be made as comfortable as sion the duty of prescribing "in what man-ner and on what conditions" the benefits powers conferred and imposed in this artipossible. There will be the usual games, dancing, &c. The committee of arrangeeontemplated in the article should be assert- cle of the Constitution, and that therefore at the drugstere corner of Twenty-first and Main ments is composed of Messrs. R. L. Acree, ed and enjoyed.

The prescription of "manner and conditions" could only be in the interest of lege of the husband and father to the wife one of two classes-the beneficiaries of the or children, either during his life or after his holder-and must be construed as contem- the exemption from \$2,000 to \$10,000. In plating both classes. The protection of this view three out of four sitting judges of volved an appeal to the policy of the re- held that the extension of the privilege to and obliging in filing orders by telephone or verbal cording acts.

Accordingly, when the General Assemupon it by the Constitution, we find them with "the spirit of the Constitution and the keeping steadily in view all the while a de-mand upon the householder as the price of exemption." Can the requirement of the his homestead or exemption, to give to his joinder of the wife in alienating the proclaim the notoriety and publicity of the perty be regarded as any less in accordance In reply to the resolution of the 12th instant, addressed to me by your honorable stant, addressed to me by your honorable above the average, and Miss Herndon is a conveyances was left intact, to bear with the whole object and policy of the home-

THE HOMESTEAD.

Judge Wellford on yesterday delivered the following interesting and able opinion in the Circuit Court of Richmond in the cases of Sharpless & Co. vs. Joseph Rose, Bailey & Co. vs. Rose, &c. Edward Y. Cannon and John Dunlop for plaintiffs; Judge John A. Meredith and Meredith & Cocke for defendants:

In each of these cases attachments were sued out at the time of instituting the suits under section 2, chapter 148, Code of 1873. and the stock of goods in defendant's store was levied upon. Motions to abate the attachments were made and overruled, and the property sold under the order of the court in vacation, and proceeds of sale deposited in bank. These proceeds now await

The defendant claims to be entitled to re-

or \$500 in excess of the utmost limit au-

The petition of General H. Webb for a writ tute, and to that amount, I am of opinion, there can be no serious question that the

thorized by the Constitution and the sta-

In the cases of Poindexter against the necessity to an assessment of value by appraisers. In this case there is no necessity for any conjectural assessment, for the value has been tested by a public sale, and the plaintiffs in error, and causes submitted the proceeds are under the control of the

\$2,000, and as much more as may be liable charged with being vagrants, were ordered to the lieu of the landlord.

and elaborate arguments upon both sides, both oral and written. David Riddle, charged with being a vagrant and sleeping in the market-house,

upon the ground of fraud, both actual and

I cannot accept the view of counsel for plaintiffs that I am required to look into this whole mass of testimony taken upon the hearing of the motion for abatement of tion, and inquire into the motives upon should do so, and be abundantly satisfied that it was so asserted in its origin with intent of actual fraud upon the creditors, I LOOSE TOBACCO SOLD .- During the week | do not think I would be authorized for that

large quantity of loose tobacco of this reason to reject it-1st. Because the Constitution and the year's growth has been sold in this city at very good prices. The amount sold at statute in conferring the privilege of the Shockoe (warehouse on the 16th, 17th, 18th, exemption do not debar a fraudulent claimand 19th was 264,000 pounds; at Cren ant from the privilege - Shipe, &c., vs. Re-

2d. Because this is a court of common law, and as such cannot go behind a deed

question of fraud cannot be entertained. The Constitution in its article upon

A material part of the law, as it was

Fitzhugh vs. Anderson, 2 H. and M., 302.

In view of this settled policy of the law, emptions," in its provisions and reference families.

equity to the imputation of an intent to de- on

very clearly that many, if not most, of the of delegated duty, and the exercise of goods embraced in the claim were not paid discretion which they were required t for, and therefore not liable under the Con- make, for I take it that in comparing the stitution to the claim of exemption as to 1st, 5th, and 7th sections of the 11th article the vendors, some of whom are parties to of the Constitution, there can be no questhis controversy, and yet there is not only tion that the word "may," in the 5th secno recognition of the rights of these vend- tion, must be regarded as mandatory and ors, but in the vague and general descrip- not permissive. In the exercise of that tion of the property an apparent effort to discretion they were therefore enjoined embarrass them in its identification. The to prescribe conditions under which the recorded writing of the defendant claiming bushand should hold for the benefit of himexemption therefore must be considered as self and the family. If the General As entirely void unless it be clearly such a sembly then is warranted in a gratui-

the homestead statute. The Constitution does not speak of a

uses the word homestead in its proper her children they concede to her the right meaning as regards real estate, and as to of a voice in the alienation of the property personal property speaks only of "exemp- by the husband. tion," and that as the alternative benefit. The statute follows the Constitution, and provides primarily for a homestead, and, condition as the price of the privilege of

sonal property as an exemption from levy, seizure, &c., &c. The manner and condition upon which tutional exemption. the right to hold such personal property exempt in lieu of the homestead should be enwriting to be recorded, and the property to statute or of the Constitution. be held in the same manner, under the same ! limitations, and subject to the same conditions as to incumbrance and sale, and in all other respects as provided in the case of a liens. homestead .- Section 12, chapter 183, Code of '73. It is especially provided that in the case of the homestead, and consequently of

&c., &c.-Section 7. In this case Rose, a married man, claims in his deed to hold certain specified goods, Vaden, Oliver Blankingship, Frank Dun- with Hypophosphite of Lime and Soda. Small bot-"in the store now occupied by me." exempt under the Constitution and statute. and accompanies this claim with the farther claim of "right of disposing of them for the purpose of carrying on the business

the personal property so claimed, that it

shall not be mortgaged, incumbered, or

now pursued by me, and of reinvesting the proceeds of any sale I may make of any of the above-mentioned goods.' Now, this claim is, to my mind, mania retail store certainly each sale could not be consummated by the joint deed of hus-

L. J., '77, p. 440], and the purpose contemplated and claimed by the defendant infor the City Council to bold its regular volved a mixing-up day by day of exempt other. Such a claim has no recognition ary of the judge of the Hustings Court. in the statute. It is a naked assertion of a right to the exemption of the goods designated, with a repudiation of the conditions | 10 o'clock a colored farmer from Chester- street. upon which alone the law conceded the field, while bringing his crop of tobacco

cannot plead the protection of the statute

to give it any validity against the statute of fraudulent conveyances. But it was urged in argument that the limitation upon the husband's power of alienation and sale was unconstitutional. I am unable to appreciate the force of this objection. The Constitution-Article 11. section 5-expressly empowered the General Assembly "in its discretion to determine in what manner and on what conditions the householder may hold for the benefit of himself and family" the exempted ficiaries of the exemption, and the

property. This discretion must have contemplated some protection to the benefamily are named with the house holder as beneficiaries. It may be that the dental to the husband of the jus disponendi would be an unwise exercise of discretion; but if the General Assembly thought differently, to deny them the power to give effect to their judgment would be

to deny them the right of discretion. The Court of Appeals and the Chief Justice of the United States have upheld the right of the General Assembly to authorize a waiver by the hus band and father of the homestead-Reed vs. Union Bank, 29 Grattan, 719-in re Solomon, 2 Hughes, 161-and have held that the Constitution did not itself deuv the jus disponendi. But the decisions have certainly gone no farther. It certainly has never been decided that if the General Assembly in its discretion had thought proper to deny the right of waiver that such denial would be unconstitutional. I fully concur in the decisions so far as they have gone, that the Convention in its discretion did not think proper to deny the jus disponendi, but in committing to the discretion of the General Assembly the prescription of conditions upon which the benefit contemplated might be made available to the family, I am clearly of opinion that they gave to the General Assembly the right to re-

quire the joinder of the wife in the alienation of the property. In White vs. Owen, 30 Grattan, 52, Judge Anderson does express some question of but Judge Anderson says that the question does not arise in the case, and that he does not mean to decide it. In Hatorf vs. Wellford, 27 Grattan, 356, it seems to me, however, that the question is practically decided to the contrary, and that decision was cited and in this particular approved in a still later case than White vs. Owen-Helm

vs. Helm, 30 Grattan, 499. In Hatori's case I was of opinion that the widow was not entitled, under the letter of and that if the statute had conferred the THERS'. tution, headed "Homestead and Other Exit was as much beyond the power of the General Assembly to extend the personal privithe widow and minor children was a constitutional exercise of power by the General bly assumed to discharge the duty imposed Assembly, because it was in accordance at ANTONI'S. In Hatori's case, it is to be observed that

the General Assembly. In this fraud creditors; for the evidence shows case it is in the direct discharge writing as the homestead act contemplated tous extension of the husband's personal and required. We have then to inquire whether this cause in their judgment it is in accord with claim, as asserted in the deed or writing re- the spirit and policy of the Constitution, it corded by the defendant, is protected by follows necessarily that their action cannot be condemned as unconstitutional when in the exercise of a discretion they are enhomestead in personal property, but only joined to make for her benefit and that of

NO. 148.

I am of opinion, therefore, that the Gen eral Assembly had a right to impose this secondarily, an equivalent value of per- exemption, and that without accepting this condition as prescribed by the General Assembly no housebolder can claim the consti-

The claim asserted by the defendant does not accept this condition, but, upon the oyed is clearly prescribed in the statute. contrary, repudiates it. It is outside of the The householder is required to designate statute enacted by the General Assembly the property selected by him in writing, under the commands of the Constitution with the value affixed to each article, the and cannot claim the protection of the

The fund under the order of the Court must therefore be distributed among the creditors according to the priority of their

MANCHESTER AND VICINITY.

Roll of Honor .- The following are the hames of the pupils who were on the roll altened by the owner, if a married man, of honor at the public schools this month: School No. 1-E. Morrissette teacher-Maggie Calligan, Lena Lithgow, Edna Ma thews, Maggie Noud, Minnie Vaden, Ora ford, Harry Guy. A. B. McCulloch, Willie tles, price 50 cents. Mathews, and Augustus Smith.

School No. 3-Miss Bettie L. Irvine teacher-Ida Brandis. School No. 4-Miss Rachel Lyon teacher-Emmett Bailey, Lawrence Bailey, Garland Burnett, Nellie Leonard, Fannie Foster, and

Rosa McCulloch. School No. 5-Miss Nannie Hatcher teachfestly inconsistent with the conditions pre- er-Hattie Blankenship, Addie Leonard, scribed in the statute. In the business of Minta Spain, and Walter Freeman. School No. 6-Primary-Mrs. Hall teach

er-Hallie King, Mittie Walker, Mattie band and wife, nor could the proceeds of Richardson, Manie Knorr, Mattie Crostic sale be reinvested as contemplated by the Bena Crostic, Maggie Brown, Mattie Risby, statute.-Section 13. Until a designation Willie Burton, Georgie McCulloch, Carrie of any new purchases could be made and McCulloch, Chastain Riggans, Rosa Benton placed upon the record, they were entitled Frank Crostic, Freddie Beattie, Allie Elder to no protection [Section 13, and opinion Douglas Sharp, Robert Baugh, Arthur of Fitzhugh, J., in Leidy vs. Gordon, Va. Waugh, Henry Buell, and Morton Graves City Council.-Last night was the time

shelves, without any ear-marks by which A resolution will be presented at the next crediters or the officers of the law meeting, requesting the Legislature to alcould distinguish the one from the low Manchester the authority to fix the sal-Brief Hems .- Yesterday morning about

right. It is a claim eadem voce under the to the Richmond market, had the misforstatute and against the statute, and as such tune to have the greater portion of it stolen A meeting of the City School Board will

be held Tuesday night. The public schools have closed until the first Monday in January.

MORE HEALTH, SUNSHINE, AND JOY IN HOP BITTERS than in all other remedles. BUY CHRISTMAS PRESENTS at HUTZLER BRO

RUSH FOR PIZZINUS.;

WHY SO? Because his prices are low and the articles first-class. READ THE FOLLOWING:

FIRE CRACKERS. PLAIN CANDIES, 20c, a pound : ALL. NICE ORANGES, 25c, a dozen. KINDS BEAUTIFUL ORNAMENTS FOR CHRISTMAS-TREES.

FRUIT-CAKES, POUND-CAKES, CHARLOTTE RUSSE, PASTRY and SMALL CAKES. NCTS. RAISINS, CITRON, CURRANTS. PRESERVES. CHOCOLATE CARAMELS, CHOCOLATE DROPS. OFT MARSHMALLOW DROPS, and GUM-DROPS

MALAGA GRAPES, BANANAS, ORANGES. Go to Pizzini's, 807 Broad street, before the rush. His stock is larger and better this year than Prices reasonable

ATTENTION is called to the special sale THOUSANDS OF VARIOUS GOODS suitable for CHRISMAS PRESENTS

COHEN BROTHERS'. Their prices on most articles are lower than at any other house in the city. Read their advertisement in another column

RUY HOLIDAY PRESENTS at EUTZLER BRO LEVY BROTHERS

WILL CLOSE THEIR STORE PROMPTLY

THIS (Friday) EVENING

the 19th Instant, at 4:30 o'clock. In order to accommodate those who could no conveniently make their purchases during the week SATURDAY EVENING at 5 o'click. They have still on hand a large stock of elegant Desks, Work-Boxes, Japanese and Swiss Goods, Wagons, Sleighs. Trunks, Toys, and thousands of

COX'S GELATINE AT 13C. TO FAMILIES ONLY sireets.

FLOWERS FOR CHENSTMAS .- You who destre FLOWERS for Christmas and New Year's would do homestead or the creditors of the house- death, as it was to increase, the amount of well to consult Messrs. Toler & Hoopen, whose artists in their line, and know what will suit both the grave and the gay. Their stock of FLOWERS the interest of either class necessarily in- the Court of Appeals did not concur, but is varied and abundant, and they are most prompt

> FOR COUGHS, COLDS, AND COMSUMPTION USE PURCELL, LADD & Co.'s Emulsion of Cod-Liver Oil with Hypophosphites of Lime and Soda. Small bottles, price only 50 cents. NO MORE RHEUMATISM !- There can be now no

FRENCH AND PLAIN CANDIES made fresh daily

excuse for suffering the pangs of rheumatism. The crutch business is becoming fast played out amongst "old stagers," and acute and infirmmatory cases of

THE DISPAICH

TERMS OF ADVERTISING. me square, two months.

MAGNIFICENT DISPLAY.

UNPARALLELED SALE BY THE

GREAT CONFECTIONER OF RICHMOND. FRENCH AND AMERICAN CANDIES, NUTS, &C., FOR THE MILLION.

NO ADVANCE IN PRICES. DON'T INVEST A SINGLE CENT IN

CONFECTIONERY UNTIL YOU HAVE SEEN WHAT THE GREAT RICHMOND CONFECTIONER CAN DO FOR YOU. ANDREW ANTONI.

1105 Main street. It will pay you to read my advertisement care-COHEN BROTHERS

exhibit the largest assortment of GLOVES. HOSIERY. HANDKERCHIEFS. and other small wear.

that was ever offered in this city. You can find Christmas Presents suitable for all ages and size at their house.

CHRISTMAS BARGAINS AT D. & E. MITTRL-DORFER's.-Their store will be opened at 5 o'clock. All in want of Hotiday Goods will do well to give them a call. Dolls, Shell-Boxes, Silk Handkerchiefs, and fancy articles. Cloaks at reduced

prices. DO YOU KNOW OLD BROWN Windsor Soan lasts longer, is more highly perfumed, and more emollient in use than these young fellows? J & E. AT-

KINSON, Manufacturers, London, PRIME FRUIT-CAKE, only 30c. per pound, at

ANTONI'S. W. D. BLAIR & Co. not only have the finest Liquors of all kinds, but their stock of Raisins, Ciron, Almonds, Currants, and all Christmas goods, are unsurpassed in the city. They have just received a fine lot of Virginia Hams three years old. You'll find their prices very low, and the quality of

their goods always the best. 1109 Main street. ANTONI, the Confectioner, Main street, will bake FRUIT-CAKES for his customers free of charge.

WHEN YOU WISH TO TAKE COD-LIVER OIL USE the Emulsion made by PURCELL, LADD & CO.

The most palatable way to take Cod-Liver Oll, is In Emulsion. Use PURCELL, Land & Co.'s combined with Hypophosphites of Lime and Sodal Price, 50 cents for small bottles.

MALAGA GRAPES at ANTONI'S.

A FRAGRANT BREATH! If your TEETH are decayed or defective; If your TUMS are spongy, bleeding, alcerated, or receding

MEADE & BAKER'S

CARBOLIC MOUTH-WASH. which removes the bad odor caused by these, and contests heals and cleanses the mouth, imparting a DELICIOUS FRAGRANCE TO THE BREATH. Sold by all druggists at 50c. a bottle.

ONE THOUSAND SWEET FLORIDA ORANGES at

M. ELLYSON & Co., advertising agents, insert adertisements in all of the newspapers of the United States at publishers' rates. Orders left at the Dis. patch counting-room will receive prempt attention.

MINCEMEAT, RAISINS, CURRANTS, GELATINE, PRUNES, CITRON, PICKLES, and Christmas goods generally, at DANFORTH & CO.'s, 612 east Marshall

BEAUTIFUL WHITE TEETH! MEADY & BAKEU'S SAPONINE DENTIFRICE

YELLOW BANANAS At ANTONI'S.

INCIPIENT TARTAR, KEEP THE TEETH BEAUTIFULLY CLEAN Sold by druggists at 50c. a box.

Marchall street.

FINE FAMILY CROCERIES, WINES, LIQUORS, COBACCO, CIGARS, CANNED GOODS, BUCKWIRAT

FLOCE. &c., &c., at DANFORTH & Co.'s, 612 east

WILL PRESERVE THE TEETH, REMOVE

ACCTION SALES THIS DAY, of on all eater of their Matrix made between the lates for

trains and fisher to the lat of July and late of the year the taxes have to be paid by the seller the custom was adopted about fifteen year and real the real painte agents in Richmond, and splitteen Richmond and vicinity.]

RICHMOND BAZAAR, 10 A. M. fifteen young horses, four mu es, buggles, wagons, &c.

HOLIDAY GOODS. HOLIDAY GOODS CHRISTMAS AND NEW-YEAR PRESENTS.

dust received
GOLD and SILVER WATCHES and CLOCKS in GOI, Dand SHAVER WATCHES AND CLOCKS IN endless variety: SOI, TAPE and CLUSTER DIAMOND RINGS: SOI, TAPE DIAMOND EAR-LINGS and STUDS; A full line of CAMEO. PEARL, and GOLD SETS of JEWELRY, FANCY and PLAIN GOLD RINGS, LADIES' and GENTLEMEN'S GOLD LOCKETS: LADIES' GOLD NECK-CHAINS, CHARMS, &c.,

SILVER-PLATED WARE: Silver-Plated Castors, Pickle-Stands, Butter-Disties, Cuos. Golder, Table, and Tea-Spoons, Forks. Watters, and Butter-Knives.
These goods are from the celebrated ROGERS & BROTHER'S FACTORY. The name itself is a guarantee of the quality. All of the above goods will be sold cheap for cash. The public generally are invited to inspect our stock before purchasing.

GODDARD & MOSES.

914 Main street, between Ninth and Tenth streets, de 18-codtJa1

de 18-codtJa1 HOLIDAY GOODS. Thave a large assortment of GOODS SUITABLE FOR HOLIDAY PRE-ENTS, con-isting in part of Dolls of every description; Tea., Dinner-, and Tol-let-Sets; Furniture, Boys' Wagons, Velocipedos, Wheetzarrows, Hobby-Horses, and Toys of every description.

Also, a beautiful assortment of Vases, Cologne-

Also, a headiful assortment of Vases, Colognesets, China and Lava Figures.

In useful presents, I have Decorated Teas, Dingers, and Chamber-Sets; Tin Tollet-Sets, Coalers, and Chamber-Sets; Tin Tollet-Sets, Coaler-Vases, Plate-Warmers, and a full line of China, Glassware, and House-Furnishing Goods.

ROBERT HARROLD,
817 Broad and 909 Main streats.

de 18.20.22-3t

HORSES, MULES, &c. FOR SALE.—We have for sale a FOR SALE.—We have for sale a nice match of Horses, very fast: a nice match of MARES, suitable for family carriage or nack, four and five years old; several nice YOUNG HORSES, suitable for doctors, use, and a couple suitable for lady's phaeton; two zood WORK-MULES, and several BUGGIES. Goarantee all of the above stock sound. Will sell low, as parties are anxious to stop livery-bill. Apply to R. L. BARNYS & CO. de 20-21* Livery Stable, 912 Cary street.

HOTELS AND BOARDING-HOUSES. BOARDING.-FIRST-CLASS BOARD, with ELEGANT SUIT OF UNFURNISHED ROOMS on second floor, in central location, on Shockoe Hill. Applicants must give real name, Address "A. S. C.," care of the Dispatch. de 20-2t

CARROLLTON HOTEL, BALTIMORE, MORE, MD.—Bates reduced to \$3 and \$2.50 per day, according to location of rooms. Extra charges for pariors, baths, and double rooms, according to size. The most convenient and latest-built hotel in the city. Elevator runs continuously to all the floors. All lines of city passenger-cars pass the doors. BALTIMORE, MD. October 10, 1879. oc 14-3m

RICHMOND, YORK RIVER AND CHESAPEAKE RAILROAD COMPANY.
OFFICE SCPERINTENDENT.
RICIROND, December 20, 1879. SPECIAL NOTICE.-The FREIGHT. DEPOTS on this road will be CLOSED on CHRISTMAS DAY and NEW-YEAR'S DAY.
No treights will be received or delivered ou either of these days.
de 20-4t

H. T. DOUGLAS.
Superintendent.

CAND FOR SALE.

The best SAND FOR SMELTING FURNACES the best SAM to be the city.

Also, BUH, DING- AND MOULDING-SAND and PAVING-GRAVEL. Employees at my office.

J. THOMPSON BROWN.

de 20-5t 1113 Main street.

CITT AUDITION'S OFFICE, RICHMOND, December 10, 1879.

TO BONDHOLDERS. — The transferbooks of the BONDED DEST of the city of Richmond will be CLOSED on the 20th in-tant, and REOPENED on the 1st day of January, 1880.

de 10 dtDe24

Auditor, 1

de 10 diDe24

day. and to-night will be played Lady of the citizens of this State from the excessive discrimination and overcharges made by the rollroads in and which pass through this reliroads in and which pass through this state against local freights, and to report as through the BILL.—Mr. Lovenstein got the Disparch printing—Rouse.

The deed under the homestead act.

The deed under the homestead act.

Chaloner; or, Maud's Peril.

The deed under which in this case the climination and overcharges made by the claim for exemption is made is certainly a reliroads in and which pass through this reliroads in and overcharges made by the claim for exemption is made is certainly a reliroads in and overcharges made by the claim for exemption is made is certainly a reliroads in and overcharges made by the claim for exemption is made is certainly a reliroads in and overcharges made by the claim for exemption is made is certainly a reliroads in and overcharges made by the Constitution—White vs. among the distribution of the General Assembly was the worst sort are easily and quadron of the constitution—White vs. of the action of the General Assembly was the worst sort are easily and quadron of Dr. Hernon's Gypsy's Gippy and overcharges made by the Constitution—White vs. of the action of the General Assembly was the worst sort are easily and quadron of Dr. Hernon's Gypsy's Gippy and overcharges made by the Constitution—The constitution of Dr. Hernon's Gypsy's Gippy and overcharges made by the Constitution of Dr. Hernon's Gypsy's Gippy and overcharges made by the Constitution of Dr. Hernon's Case, it is to be observed that the worst ort are easily and quadron's Gypsy's Gippy and overcharges made by the Constitution of Dr. Hernon's Case, it is to be observed that the constitution of Dr. Hernon's Case, it is to be observed that the constitution of Dr. Hernon's Case, it is to be observed that the constitution of Dr. Hernon's Case, it is to be observed that the constitution of Dr. Hernon's Case, it is to be observed that the constitution of